IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1115 (S/S) of 2006

Ranbir Singh Faraswan,
son of Sri Narain Singh Faraswan,
resident of 7/90, Halda Pani,
Post Office- Gopeshwar,
District – Chamoli. **……Petitioner**

V e r s u s

1. State of Uttaranchal through Secretary, Cooperative Societies Department, Uttaranchal Secretariat, Dehradun.
2. Chamoli District Cooperative Bank Ltd., Gopeshwar, District Chamoli, through its Chairman / General Manager.
3. Secretary / General Manager, Chamoli District Cooperative Bank Ltd. Gopeshwar, District – Chamoli.

……Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri R.P. Nautiyal, learned counsel for the petitioner, Sri Vipul Sharma, holding brief of Ms. Puga Banga, learned counsel for respondent nos. 2 and 3 and Sri Paresh Tripathi, learned counsel for State of Uttaranchal on behalf of respondent no. 1.

By means of this writ petition, the petitioner has prayed for the following reliefs:

I. *Issue a writ, order or direction in the nature of Mandamus commanding the respondent authorities to fix seniority of the petitioner from the dated of his initial appointment i.e. 28.10.1976 and give him consequential benefits of regularization with effect from the year 1977 and further promotion to the post of Junior Branch Manager (Group II) with effect from 07.01.1986 i.e. the date when the juniors of*

the petitioner were given promotion to the post of Junior Branch Manager (Group II) in Chamoli District Cooperative Bank Ltd. Chamoli.

II. *Issue a writ, order or direction in the nature of Mandamus commanding the respondent authorities to promote the petitioner from the post of Junior Branch Manager (Group II) to the post of Senior Branch Manager (Group I) in Chamoli District Cooperative Bank Ltd. Chamoli, with effect from 03.04.2003 i.e. the date when the juniors of the petitioner were given promotion to the post of Senior Branch Manager (Group I) in Chamoli District Cooperative Bank Ltd. Chamoli.*

III. *Pass any other and further orders, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.*

IV. Award costs of the writ petition to the petitioner.

The grievance of the petitioner is that juniors to the petitioner have already been promoted to the post of Sr. Branch Manager, with effect from 03.04.2003 whereas petitioner has not been promoted to the post of Sr. Branch Manager. Aggrieved with the in action of the respondents, petitioner has moved representation before Registrar Cooperative Societies, Uttaranchal, Dehradun on 16.05.2006 (Annexure no. 8 to the writ petition)

During the course of argument, leaned counsel for the petitioner has confined his prayer that respondent no. 3 may be directed to decide the representation dated 16.05.2006

(Annexure no. 8 to the writ petition) within a period prescribed by this court.

The prayer in innocuous. Accordingly, I direct the respondent no. 3 i.e. Secretary / General Manager, Chamoli District Cooperative Bank Ltd. Gopeshwar, District-Chamoli to decide the representation of the petitioner dated 16.05.2006 within a period of four week from the date of production of certified copy of the order.

With this direction the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

August 18, 2006
SKSharma